

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER**

| | | |
|--|---|-----------------------------|
| IN RE CHARGE OF JUAN CARLOS CUNI BARO |) | |
| |) | |
| |) | |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| Complainant, |) | 8 U.S.C. § 1324b Proceeding |
| |) | |
| v. |) | OCAHO Case No. 97D00021 |
| |) | |
| HYATT REGENCY LAKE TAHOE, |) | Judge Robert L. Barton, Jr. |
| Respondent. |) | |
| |) | |

**ORDER GRANTING RESPONDENT'S MOTION TO WITHDRAW
ITS MOTION FOR ATTORNEYS' FEES
(December 13, 1996)**

On December 10, 1996, Respondent filed a Motion to Withdraw it's Motion for Attorneys' Fees. The Respondent stated that the time and expense required to challenge the Ninth Circuit Court of Appeals decision in General Dynamics v. United States, 49 F.3d 1384 (9th Cir. 1995), would be disproportionate to the amount of attorney's fees sought by the Respondent.

Accordingly, the Respondent's Motion to Withdraw it's Motion for Attorneys' Fees is GRANTED and OCAHO Case No. 97D00021 is hereby dismissed.

ROBERT L. BARTON, JR.
ADMINISTRATIVE LAW JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of December, 1996, I have served copies of the foregoing Order Granting Respondent's Motion to Withdraw Its Motion for Attorneys' Fees on the following persons, by first class mail (unless otherwise indicated), at the addresses shown:

Carol J. Mackela, Esquire
Ginette L. Milanes, Esquire
Office of Special Counsel for Immigration-Related
Unfair Employment Practices
P.O. Box 27728
Washington, D.C. 20038-7728
(Counsel for Complainant)

Roxana Bacon, Esquire
Brian Cave
2800 North Central Avenue, Suite 2100
Phoenix, AZ 85004
(Counsel for Respondent)

Ian E. Silverberg, Esq.
96 Winter Street
Reno, NV 89503

Office of Chief Administrative Hearing Officer
Skyline Tower Building
5107 Leesburg Pike, Suite 2519
Falls Church, VA 22041
(Hand Delivered)

Linda Hudecz
Legal Technician to Robert L. Barton, Jr.
Administrative Law Judge
Office of Chief Administrative Hearing
Officer
5107 Leesburg Pike, Suite 1905
Falls Church, VA 22041
Telephone No.: (703) 305-1739
FAX No.: (703) 305-1515